

REMARKS

- Prior to this amendment:
 - Claims 1, 3-5, 7, 8, 10-14, and 16-20 are pending.
- Upon entry of this amendment, which is respectfully requested for the reasons given below:
 - Claims 1, 3-5, 7, 8, 10-14, and 16-20 will be pending.

1. Claim Rejections – Section 103**Claim 1**

The Examiner has rejected claim 1 as being unpatentable over Klein in view of Dennison. Applicants respectfully disagree with the Examiner's stated motivations to combine Klein and Dennison. Applicants' reasons for disagreeing are discussed later. However, claim 1 is amended to specify that the body of the claimed device is "physically unconnected to the playing surface" of the game for which information is displayed. This amendment is supported by Applicants' specification, for example, in figure 12 and in accompanying text:

As it happens, player 1200 is left handed, so he wishes for chess clock 1202 to be on his left side during the chess game, rather than on his right side. Therefore, player 1200 picks up the chess clock 1202 and moves it from position 1204 to position 1206 as shown. [Applicants' specification, page 24, lines 26-28]

Neither Klein nor Dennison teach the limitation of "a body that is physically unconnected to the playing surface" of a game. As evident in Klein's figure 1, the consoles are physically connected to the playing surface (the chess board) via wires and the memory circuit. As evident in Dennison's figure 1, the score display means is physically connected to the playing surface (the hockey table) by means of the support standards. Accordingly, Applicants submit that currently amended claim 1 is in condition for allowance.

Claims 3-5, 7, 8, 10-14

The Examiner has rejected claim 3 as being unpatentable over Klein in view of Dennison. Applicants respectfully traverse the rejection. The Examiner has not shown in any reference any motivation to combine the teachings of Klein and Dennison.

The Examiner suggests that Dennison provides a motivation in column 3, lines 44-51, where Dennison states that "...either player position at either end of the game board will be able to visibly see the exact status of the game..." However, this is given only as a motivation for Dennison's own invention. Dennison nowhere suggests a motivation for incorporating the teachings of Klein. For example, Dennison nowhere suggests the desirability of maintaining more than one time remaining or of separately timing players. Certainly Dennison does not suggest that events in a game could be used to alternately start and stop players' clocks. Without such suggestions, a reader of Dennison would have no particular reason to seek the teachings of Klein.

Klein's sole reason for providing two consoles rather than the traditional one console appears to be so that each player can have a console near to him. For example:

The provision of two consoles allows each player to be provided with a pair of clocks which can be placed immediately in front of him, although it will be apparent that the invention is equally applicable to the provision of a single console. [Klein, column 2, lines 27-31].

The combination of the two consoles of Klein into a single score display means described in Dennison would be contrary to Klein's entire purpose for having two consoles. The centralized score display means of Dennison would be no closer to either player than would be a single console as used in a traditional chess game. In other words, a traditional chess game already employs a single console that is located midway between the players, though the console is typically to the side of the playing surface rather than overhead. Therefore, Applicants do not believe there could be motivation to combine the teachings of Dennison and Klein when such combination would work against the intentions of Klein.

The Examiner has suggested that combining the teachings of Klein and Dennison would have the “benefit of making the system more durable.” However there is no mention of durability in either Klein or Dennison, let alone any mention of a need to increase durability.

For at least the above reasons, Applicants submit that sufficient motivation to combine that teachings of Klein and Dennison in order to arrive at Applicants’ claimed inventions has not been shown. Accordingly, Applicants submit that previously amended claim 3 is in condition for allowance.

The Examiner has similarly relied upon the combination of Klein and Dennison in providing rejections for claims 4, 5, 7, 11, and 12. The Examiner has relied upon the combination of Klein and Dennison plus additional references in providing rejections for claims 8, 10, 13, and 14. Therefore, as Applicants believe that sufficient motivation to combine Klein and Dennison has not been demonstrated, Applicants submit that claims 4, 5, 7, 8, 10, 11, 12, 13, and 14 are in condition for allowance.

Claims 16-19

The Examiner has rejected claims 16-19 as being unpatentable over Klein in view of Kifer. Applicants respectfully disagree with the Examiner’s grounds for rejection. However, Applicants have amended claim 16 such that the claimed device has “exactly four clock buttons”. Applicants note that the term “clock button” is defined in Applicants’ specification:

As used herein, a “clock button” is a button or other input mechanism that may be used to inactivate one or more clocks and/or to activate one or more clocks. [Applicants’ specification, page 5, lines 13-14].

Neither Klein, Kifer, nor any combination thereof teach a device with exactly four clock buttons. For example, in Klein there are 64 different squares on the chessboard, any one of which may be used to “control the running of respective players’ time clocks [Klein abstract].” Nor would it have been obvious to modify Klein and/or Kifer to incorporate exactly four clock buttons. For example, a chess board with only four active squares

would fail to automatically switch players' clocks if a chess piece were moved to any of the other 60 squares. Accordingly, Applicants submit that currently amended claim 16 is now in condition for allowance. Further, since claims 17-19 are dependent upon claim 16, Applicants submit that original claims 17-19 are now in condition for allowance.

Claim 20

The Examiner has rejected claim 20 as unpatentable over Klein in view of Kifer. The Examiner states that the limitation "neither button A nor button B has any effect on times remaining in memory locations y and z" is not present in Applicants' claim 20. Accordingly, claim 20 is amended to include the limitations "neither clock button A nor clock button B has any effect on times remaining in memory locations y and z," and "neither clock button C nor clock button D has any effect on times remaining in memory locations w and x."

With currently amended claim 20, Applicants' prior arguments, restated here for the Examiner's convenience, should apply. Namely, in currently amended claim 20, Applicants' invention essentially functions as two independent clocks, suitable for timing two separate games of chess at once. Claim 20 describes, for example, clock button A which effects the time remaining in memory locations w and x, and clock button B, which also effects the time remaining in memory locations w and x. However, neither clock button A nor clock button B has any effect on times remaining in memory locations y and z, nor do clock buttons C and D have any effect on the times remaining in memory locations w and x. Thus, clock buttons A and B together function independently from clock buttons C and D. Currently amended claim 20 is supported in Applicants' specification in at least the following passage:

A chess clock such as is illustrated in figure 20 may be placed between two chessboards, so that the chess clock is to the right of a first chessboard and to the left of a second chessboard. In this way, players at either board would be able to share the chess clock. The chess clock could separately time both games. [page 34, lines 14-17].

Clearly, neither Klein nor Kifer suggest the timing of two independent games. Further, it is difficult to imagine that Klein's invention could be modified to time two independent games. After all, Klein relies on a single chessboard, which can only support one game of chess. For the above stated reasons, in addition to the fact that currently amended claim 20 is dependent upon currently amended claim 16, Applicants submit that claim 20 is now in condition for allowance.

Conclusion

It is submitted that all of the remaining claims are now in condition for allowance, and the Examiner's early re-examination and reconsideration are respectfully requested.

Alternatively, if the Examiner has any questions regarding the present application, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is cordially requested to contact Geoffrey M. Gelman at telephone number (617) 909-2066 or via electronic mail at gmgelman@gmail.com.

Respectfully submitted,

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